

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

Care One Management, LLC et al.,

Plaintiffs,

-v-

United Healthcare Workers East, SEIU  
1199, et al.,

Defendants.

Civil Action No. 2:12-cv-06371-  
SDW-MAH

**SECOND SUPPLEMENTAL  
DECLARATION OF KIRK  
ADAMS**

I, **KIRK ADAMS**, declare under penalty of perjury as follows:

1. I am a resident of New York and am over 18 years of age. I make this Declaration based on my personal knowledge of the facts set forth below.
2. For most of the period from 2007 through 2015, I was either an Executive Vice President of the Service Employees International Union (“SEIU”), with responsibility for the Healthcare Division, or the Director of the Healthcare Division of SEIU. For much of 2011 and through mid-2012, the position of Director of the Healthcare Division was vacant, and I fulfilled the responsibilities of Director in that period while also serving as Executive Vice President.
3. 1199SEIU United Healthcare Workers East (“UHWE”) and New England Health Care Employees Union, District 1199 (“NEHCEU”) are local unions that are affiliated with SEIU but that are separate legal entities from SEIU.

4. As Director of the Healthcare Division and as an Executive Vice President with responsibility for the Healthcare Division, I would have had to approve the provision of significant assistance from SEIU to an affiliated local union in connection with any labor dispute related to healthcare. This would include any significant assistance from SEIU in connection with UHWE's and NEHCEU's campaign of speech and advocacy concerning Plaintiffs' labor and business practices.
5. At some time after May 15, 2014, I became aware that Plaintiffs alleged in this litigation that UHWE, NEHCEU, and/or SEIU pressured the seller of the Kateri Residence nursing facility in New York City not to sell the facility to Plaintiffs, an entity related to Plaintiffs, and/or an entity related to Plaintiffs' principal owner and CEO Daniel Straus.
6. I did not know that any Plaintiff, any entity related to Plaintiffs, and/or any entity related to Mr. Straus had any interest in purchasing the Kateri Residence until I learned that Plaintiffs had so alleged in this litigation. Even today, other than Plaintiffs' allegation, I have no knowledge that any Plaintiff, any entity related to Plaintiffs, and/or any entity related to Mr. Straus had any interest in purchasing the Kateri Residence, or that any such entity made an offer to purchase the Kateri Residence.

7. I did not tell anyone affiliated with the seller of the Kateri Residence (including any broker retained by the Kateri Residence in connection with a potential sale) that they should not sell the Kateri Residence to any Plaintiff, any entity related to Plaintiffs, and/or any entity related to Mr. Straus.
8. To the best of my knowledge, no one at SEIU told anyone affiliated with the seller of the Kateri Residence (including any broker retained by the Kateri Residence in connection with a potential sale) that they should not sell the Kateri Residence to any Plaintiff, any entity related to Plaintiffs, and/or any entity related to Mr. Straus.
9. I am not aware of anyone affiliated with UHWE, NEHCEU, or any other SEIU-affiliated union telling anyone affiliated with the seller of the Kateri Residence (including any broker retained by the Kateri Residence in connection with a potential sale) that they should not sell the Kateri Residence to any Plaintiff, any entity related to Plaintiffs, and/or any entity related to Mr. Straus.
10. At some time after May 15, 2014, I became aware that Plaintiffs alleged in this litigation that UHWE, NEHCEU, and/or SEIU pressured the seller of certain healthcare facilities in Massachusetts owned by Merrimack Health Group, Inc. (“Merrimack Facilities”) not to sell the Merrimack Facilities to

Plaintiffs, an entity related to Plaintiffs, and/or an entity related to Mr. Straus.

11. I did not know that any Plaintiff, any entity related to Plaintiffs, and/or any entity related to Mr. Straus had any interest in purchasing the Merrimack Facilities until I learned that Plaintiffs had so alleged in this litigation. Even today, other than Plaintiffs' allegation, I have no knowledge that any Plaintiff, any entity related to Plaintiffs, and/or any entity related to Mr. Straus had any interest in purchasing the Merrimack Facilities, or that any such entity made an offer to purchase the Merrimack Facilities.
12. I did not tell anyone affiliated with the seller of the Merrimack Facilities (including any broker retained by the Merrimack Facilities in connection with a potential sale) that they should not sell the Merrimack Facilities to any Plaintiff, any entity related to Plaintiffs, and/or any entity related to Mr. Straus.
13. To the best of my knowledge, no one at SEIU told anyone affiliated with the seller of the Merrimack Facilities (including any broker retained by the Merrimack Facilities in connection with a potential sale) that they should not sell the Merrimack Facilities to any Plaintiff, any entity related to Plaintiffs, and/or any entity related to Mr. Straus.

14. I am not aware of anyone affiliated with UHWE, NEHCEU, or any other SEIU-affiliated union telling anyone affiliated with the seller of the Merrimack Facilities (including any broker retained by the Merrimack Facilities in connection with a potential sale) that they should not sell the Merrimack Facilities to any Plaintiff, any entity related to Plaintiffs, and/or any entity related to Mr. Straus.
15. At some time after May 20, 2016, I became aware that Plaintiffs alleged in this litigation that UHWE, NEHCEU, and/or SEIU pressured the Archdiocese of Philadelphia not to proceed with the sale of certain nursing-home facilities operated by Catholic Health Care Services of Philadelphia (“CHCS Facilities”) to a bidding group in which Mr. Straus was a member.
16. I did not know that any Plaintiff, any entity related to Plaintiffs, any entity related to Mr. Straus, and/or any bidding group of which Mr. Straus was a member had any interest in purchasing the CHCS Facilities until I learned that Plaintiffs had so alleged in this litigation. Even today, other than Plaintiffs’ allegation, I have no knowledge that any Plaintiff, any entity related to Plaintiffs, any entity related to Mr. Straus, and/or any bidding group of which Mr. Straus was a member had any interest in purchasing the CHCS Facilities, or that any such entity made an offer to purchase the CHCS Facilities.

17. I did not tell anyone affiliated with the seller of the CHCS Facilities (including any broker retained by the CHCS Facilities in connection with a potential sale) that they should not sell the CHCS Facilities to any Plaintiff, any entity related to Plaintiffs, any entity related to Mr. Straus, and/or any bidding group of which Mr. Straus was a member.
18. To the best of my knowledge, no one at SEIU told anyone affiliated with the seller of the CHCS Facilities (including any broker retained by the CHCS Facilities in connection with a potential sale) that they should not sell the CHCS Facilities to any Plaintiff, any entity related to Plaintiffs, any entity related to Mr. Straus, and/or any bidding group in which Mr. Straus was a member.
19. I am not aware of anyone affiliated with UHWE, NEHCEU, or any other SEIU-affiliated union telling anyone affiliated with the seller of the CHCS Facilities (including any broker retained by the CHCS Facilities in connection with a potential sale) that they should not sell the CHCS Facilities to any Plaintiff, any entity related to Plaintiffs, any entity related to Mr. Straus, and/or any bidding group in which Mr. Straus was a member.
20. I did not tell anyone affiliated with any potential or actual bidding group to purchase the CHCS Facilities that the bidding group should not include Mr. Straus.

21. To the best of my knowledge, no one at SEIU told anyone affiliated with any potential or actual bidding group to purchase the CHCS Facilities that the bidding group should not include Mr. Straus.
22. I am not aware of anyone affiliated with UHWE, NEHCEU, or any other SEIU-affiliated union telling anyone affiliated with any potential or actual bidding group to purchase the CHCS Facilities that the bidding group should not include Mr. Straus.
23. I am familiar with the AFSCME District 1199C union, which is a union of health-care workers based in the Philadelphia area. That union has never been affiliated with SEIU. My understanding is that District 1199C is affiliated with a different international union—the American Federation of State, County, and Municipal Employees, AFL-CIO (“AFSCME”).
24. I executed declarations, under penalty of perjury, in connection with this litigation on March 14, 2019 and April 25, 2019. All of my testimony in those declarations remains true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing statements are true and correct  
to the best of my knowledge and belief.

Dated: 6/21/2023



Kirk Adams